



U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd floor
New York, NY 10007

September 30, 2020

BY ECF

Hon. Stewart D. Aaron
United States Magistrate Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, New York 10007-1312

Request GRANTED. SO ORDERED.
Dated: 9/30/2020

Re: *Herrera v. Comm'r of Soc. Sec.*, No. 20 Civ. 4907 (VEC) (SDA)

Dear Judge Aaron:

This Office represents the Commissioner of Social Security (the “Commissioner”), the defendant in this action brought pursuant to 42 U.S.C. § 405(g), in which the plaintiff appeals the Commissioner’s decision to deny his application for Social Security disability benefits.

I respectfully write to request a 60-day extension of time for the Commissioner to file the certified administrative record in this case, from September 30, 2020, to November 30, 2020. The extension is necessary because of delays in preparing the certified administrative record due to temporary workplace changes implemented by the Social Security Administration’s Office of Appellate Operations (“OAO”) in response to the COVID-19 pandemic. These changes have significantly impacted the operations of OAO and materially affected its ability to prepare certified administrative records, including obtaining transcriptions of hearing recordings from private contractors. OAO has begun producing records using a virtual preparation and has worked to expand and improve this process, but additional time is needed to prepare the record in this case.

This is the Commissioner’s first request for an extension in this case. Our Office was unable to reach the plaintiff, who is appearing *pro se*, to determine if he consents to this request for an extension, but I respectfully request that the Court nevertheless grant the extension to allow time for the agency to complete preparation of the certified administrative record given the impact of the COVID-19 pandemic.

I thank the Court for its consideration of this request.

Respectfully,

AUDREY STRAUSS
Acting United States Attorney

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cc: Jonathan Herrera (by U.S. mail)
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